REMARKS/ARGUMENTS

Claims 1-36 were pending in the present application prior to the submission of this paper. Claims 1, 12, 14, 17, 25, and 35 have been amended herein. No claims have been added or canceled. Accordingly, following the entry of this paper claims 1-36 will be pending in the present application. Reconsideration of the present application is respectfully requested in view of the above amendments and following remarks.

The § 102 Rejection Based on U.S. Pat. Appl. Publ. 20040152471 A1 to MacDonald et al.

Claims 1-2, 17-18, 25-26, and 35-36 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 20040152471 A1 to MacDonald et al. (hereinafter "MacDonald"). Each of the claims is discussed in turn.

Claim 1 has been amended to more clearly point out the invention. As amended, claim 1 is directed to a method, comprising: (a) receiving information from a subscriber unit of a wireless communication system, the information being indicative of signals detected by the subscriber unit in the wireless communication system; (b) dividing an area where the subscriber unit is suspected to be into a plurality of sectors; (c) scoring the sectors based on the information, wherein a score for a respective sector indicates a likelihood that the subscriber unit is in the respective sector; and (d) determining position assistance information based on the score for the respective sectors, for determining a position of the subscriber unit.

It is respectfully submitted that MacDonald does not disclose the method of claim 1. In particular, MacDonald is directed to a mobile network that includes a mobile location module (MLM) that may be used to provide a location for a mobile unit within the mobile network. The MLM receives a mobile assisted hand-off (MAHO) list from a mobile unit that includes signal strengths of various signals the mobile unit is receiving, as described at paragraph 46. The signal strengths are used in the MLM to calculate a location of the mobile unit, as described at paragraphs 51-65 and illustrated in Figs. 4-8. MacDonald further describes determination of confidence of the location provided by the MLM by using various techniques described with respect to Fig. 10. This confidence may then be provided along with the location information that is generated at the MLM. In the event that a mobile unit includes a GPS receiver, additional information from the GPS receiver is sent from the mobile unit to the MLM, as described in paragraphs 82-90. This additional GPS information may be used by the MLM in the location

and confidence calculations. In each case, the MLM determines the location of the mobile unit using the information provided by the mobile unit. MacDonald further provides, described in paragraphs 91-103, using power contours or other predetermined power levels associated with an arrangement of cells to determine location of a mobile unit. In such a case, MacDonald provides that network characteristics and locations associated with specific network characteristics be stored in a memory associated with the MLM. Information received from the mobile unit is compared to the network characteristics and a location is determined. Again, MacDonald teaches the MLM determining a location based on information received from a mobile unit.

As described, MacDonald discloses a MLM that computes a location of the mobile unit using the information provided by the mobile unit. Importantly, MacDonald is devoid of both determining position assistance information and using position assistance information to determine a position of a subscriber unit, as required by claim 1. Therefore, it is submitted that MacDonald does not anticipate claim 1, and that claim 1 is allowable. Furthermore, it is submitted that claim 2, which depends from claim 1, is also allowable for at least the same reasons as claim 1.

Independent claims 17, 25, and 35 contain similar limitations as described with respect to independent claim 1, and it is submitted that these claims are allowable for at least similar reasons as described with respect to claim 1. Additionally, claims 18, 26, and 36 are dependent claims that depend from independent claims as discussed above. It is submitted that each of these dependent claims is allowable for at least the same reasons as their respective independent claims.

The § 102 Rejection Based on U.S. Pat. Appl. Publ. 20030148771 A1 to de Verteuil et al.

Claims 12-16 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 20030148771 A1 to de Verteuil et al. (hereinafter "Verteuil"). Each of the claims is discussed in turn.

Independent claim 12 has been amended to more clearly point out the claimed invention. Claim 12, as amended, is directed to a method comprising: (a) receiving information from a subscriber unit of a wireless communication system, the information being indicative of signals detected by the subscriber unit in the wireless communication system; (b) identifying two or more probable locations of the subscriber unit based on the information; (c) scoring the two or

more probable locations of the subscriber unit based on the information; and (e) sending position assistance information to the subscriber unit based on the score of the two or more probable locations.

It is respectfully submitted that Verteuil does not describe the method of claim 12. In particular, Verteuil is directed to a wireless network where multiple sources of location information are available, with each source consuming different resources and providing a different accuracy of location information, as described, for example, in paragraphs 9-12. Verteuil conserves resources of the wireless network by using a location source that is appropriate for a particular request, as described, for example, in paragraph 13. Verteuil goes on to describe various sources of location information and the selection of a source based on a particular application or request for the location information. Each of the sources provided by Verteuil provides location information for a mobile unit to a specified accuracy. Importantly, Verteuil does not describe identifying two or more probable locations of a subscriber unit, and scoring the two or more probable locations of the subscriber unit based on information from the subscriber unit. Claim 12 is allowable because Verteuil fails to disclose the method of claim 12. Furthermore, it is submitted that claim 13, which depends from claim 12, is also allowable for at least the same reasons as claim 12.

Independent claim 14 is directed to a method comprising: (a) detecting signals associated with base stations of a wireless communication system; (b) sending information from a subscriber unit, the information being indicative of the detected signals; (c) receiving position assistance information that identifies two or more probable locations of the subscriber unit; and (d) using the position assistance information to determine a location of the subscriber unit, wherein the step of using provides the location of the subscriber unit in a reduced time period relative to a time period required to determine the location independently of the position assistance information.

As discussed above, Verteuil is directed to a system that provides efficient usage of different resources that are available to provide location information in a wireless network. The various location resources may be used to provide the location of a mobile unit to an accuracy of the particular resource. The resource selected to provide the location information is selected based on the required accuracy for a particular end user or particular application. Importantly, the system described in Verteuil does not disclose receiving position assistance information that

identifies two or more probable locations of the subscriber unit, and using the position assistance information to determine a location of the subscriber unit.

Therefore, it is submitted that Verteuil does not anticipate claim 14 and claim 14 is allowable. Furthermore, it is submitted that claims 15-16, which depend (directly or indirectly) from claim 14, are also allowable for at least the same reasons as claim 14.

The § 103 Rejections

Claims 8 and 31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over MacDonald in view of U.S. Patent No. 6,785,321 to Yang et al. Claims 10-11, 23-24, and 33-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over MacDonald.

Each of these claims depends (directly or indirectly) from independent claims previously discussed. Further, Yang does not teach or suggest the elements of the independent claims from which claims 8 and 31 depend. It is submitted that each of these claims is allowable for at least the same reasons as described with respect to the respective independent claims.

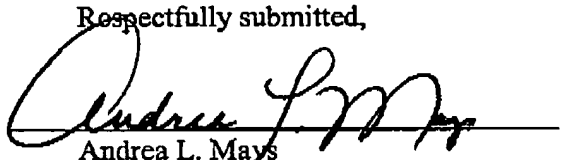
Allowable Subject Matter

Applicants note with appreciation that claims 3-7, 9, 19-22, 27-30, and 32 indicated as claiming allowable subject matter. However, the Applicants choose not to amend these claims by incorporation into the independent claims at this time given the arguments set forth above for patentability, and wish to reserve the right to do so at a later time.

Conclusion

Claims 1-36, as variously amended, have been shown to be allowable because the prior art fails to anticipate, or teach, the claimed subject matter as set forth above. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes that a telephone conference could expedite prosecution of this case, he is invited to telephone the undersigned.

Respectfully submitted,

Dated: November 3, 2005 By: 

Andrea L. Mays
Attorney for the Applicant
Registration No. 43,721

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121-2779
Telephone: (858) 651-8546
Facsimile: (858) 658-2502